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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 BYRON ELROY CRUTCHER,)

11 Petitioner,)

12 vs.)

13 BRIAN WILLIAMS, *et al.*,)

14 Respondents.)
/

2:10-cv-00474-KJD-RJJ

ORDER

15 Before the Court is petitioner's Motion for Certificate of Appealability captioned for
16 the Ninth Circuit Court of Appeals, but submitted to this court (docket #17). This Court has
17 previously addressed the issue of whether to issue a certificate of appealability in its Order
18 dismissing the case (docket #9). Therefore, the Clerk of Court shall be directed to transmit the
19 motion to the Ninth Circuit Court of Appeals for its consideration. **IT IS SO ORDERED.**

20 DATED: January 24, 2011

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23 UNITED STATES DISTRICT JUDGE
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